HONOURABLE MS. JUSTICE G.ROHINI.

WRIT PETITION No.30722 OF 1998

Dated 16-03-2007

Between:

G.Pitchi Reddy, son of Venkata Reddy, aged 70 years, resident of D.No.18/1068, Madhav Nagar, Kurnool.

…Petitioner.

And:

The Commissioner, Municipal Corporation, Kurnool, Kurnool District.

…Respondent.

ORDER:

This writ petition is filed seeking a declaration that the action of the respondent in evicting the petitioner from the site measuring Ac.0.02 cents situated between the Super Bazar Godown and Central Cafe Hotel in Kurnool-Nandyal High Way road, as illegal and arbitrary.

This Court, while directing Rule nisi on 04-11-1996, directed the respondent not to evict the petitioner from the site in question. The said order continued to be in operation throughout, and no counter affidavit has been filed by the respondent opposing the prayer in the writ petition.

Having regard to the facts and circumstances of the case, and in the absence of any counter-affidavit, I deem it appropriate to dispose of the writ petition with a direction to the respondent not to evict the petitioner from the site in question without following the due process of law.

Accordingly, the writ petition is disposed of. No costs.

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Justice G.ROHINI

Dated 16-03-2007

Dvs

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